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**BEFORE THE
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

ALEXIS C. NIXON, P.A.

Case No: 1E-2001-125966

**Physician Assistant
License No. PA-14878**

Respondent.

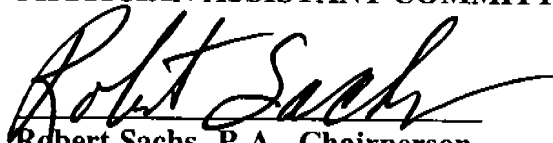
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision and Order by the Physician Assistant Committee, Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 15, 2003

ORDERED April 15, 2003

PHYSICIAN ASSISTANT COMMITTEE


Robert Sachs, P.A., Chairperson

RECEIVED
PHYSICIAN ASSISTANT

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COMMITTEE
LICENSING

BILL LOCKYER, Attorney General
of the State of California
JENNEVEE H. DE GUZMAN, State Bar No. 197817
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BEFORE THE
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ALEXIS CONSTANTINE NIXON
1103 South Hudson Avenue
Los Angeles, CA 90019

Physician Assistant License No. PA-14878

Respondent.

Case No. 1E-2001-125966

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Physician Assistant Committee, Medical Board of California of the Department of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Committee for approval and adoption as the final disposition of the Accusation.

PARTIES

1. Richard L. Wallinder, Jr. (Complainant) is the Executive Officer of the Physician Assistant Committee. He brought this action solely in his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jennevee H. de Guzman, Deputy Attorney General.

2. Respondent Alexis Constantine Nixon (Respondent) is represented in this proceeding by attorney Tracy Green, whose address is Law Offices of Richard A. Moss, 255

1 South Marengo Avenue, Pasadena, California 91101-2719.

2 3. On or about March 4, 1999, the Physician Assistant Committee issued
3 Physician Assistant License No. PA-14878 to Alexis Constantine Nixon. The License was in
4 full force and effect at all times relevant to the charges brought in Accusation No.
5 1E-2001-125966 and will expire on March 31, 2003, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. 1E-2001-125966 was filed before the Physician Assistant
8 Committee (Committee) for the Medical Board of California, Department of Consumer Affairs,
9 and is currently pending against Respondent. The Accusation and all other statutorily required
10 documents were properly served on Respondent on September 18, 2002. Respondent timely
11 filed his Notice of Defense contesting the Accusation. A copy of Accusation No.
12 1E-2001-125966 is attached as exhibit A and incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 5. Respondent has carefully read, fully discussed with counsel, and
15 understands the charges and allegations in Accusation No. 1E-2001-125966. Respondent has
16 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
17 Settlement and Disciplinary Order.

18 6. Respondent is fully aware of his legal rights in this matter, including the
19 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
20 counsel at his own expense; the right to confront and cross-examine the witnesses against him;
21 the right to present evidence and to testify on his own behalf; the right to the issuance of
22 subpoenas to compel the attendance of witnesses and the production of documents; the right to
23 reconsideration and court review of an adverse decision; and all other rights accorded by the
24 California Administrative Procedure Act and other applicable laws.

25 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
26 each and every right set forth above.

27 **CULPABILITY**

28 8. Respondent admits the truth of each and every charge and allegation in

1 Accusation No. 1E-2001-125966.

2 9. Respondent agrees that his Physician Assistant License is subject to
3 discipline and he agrees to be bound by the Committee's imposition of discipline as set forth in
4 the Disciplinary Order below.

5 **CIRCUMSTANCES IN MITIGATION**

6 10. Respondent Alexis Constantine Nixon has never been the subject of any
7 disciplinary action. He is admitting responsibility at an early stage in the proceedings.

8 **CONTINGENCY**

9 11. This stipulation shall be subject to approval by the Physician Assistant
10 Committee. Respondent understands and agrees that counsel for Complainant and the staff of
11 the Physician Assistant Committee may communicate directly with the Committee regarding this
12 stipulation and settlement, without notice to or participation by Respondent or his counsel. By
13 signing the stipulation, Respondent understands and agrees that he may not withdraw his
14 agreement or seek to rescind the stipulation prior to the time the Committee considers and acts
15 upon it. If the Committee fails to adopt this stipulation as its Decision and Order, the Stipulated
16 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall
17 be inadmissible in any legal action between the parties, and the Committee shall not be
18 disqualified from further action by having considered this matter.

19 12. The parties understand and agree that facsimile copies of this Stipulated
20 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
21 force and effect as the originals.

22 13. In consideration of the foregoing admissions and stipulations, the parties
23 agree that the Committee may, without further notice or formal proceeding, issue and enter the
24 following Disciplinary Order:

25 **DISCIPLINARY ORDER**

26 IT IS HEREBY ORDERED that Physician Assistant License No. PA-14878
27 issued to Respondent Alexis Constantine Nixon is revoked. However, the revocation is stayed
28 and Respondent is placed on probation for five (5) years on the following terms and conditions.

1 1. ACTUAL SUSPENSION As part of probation, respondent is suspended
2 from the practice of medicine as a physician assistant for thirty (30) days, beginning the effective
3 date of this decision.

4 2. CONTROLLED DRUGS - TOTAL RESTRICTIONS Respondent shall
5 not administer, order, or prescribe for any patient any controlled substances as defined in the
6 California Uniform Controlled Substances Act.

7 3. DRUGS - ABSTAIN FROM USE / EXEMPTION FOR PERSONAL
8 USE Respondent shall abstain completely from the personal use or possession of controlled
9 substances as defined in the California Uniform Controlled Substances Act, and dangerous drugs
10 as defined by Section 4211 of the Business and Professions Code, or any drugs requiring a
11 prescription.

12 Orders forbidding respondent from personal use or possession of controlled
13 substances or dangerous drugs do not apply to medications lawfully prescribed to respondent for
14 a bona fide illness or condition by another practitioner.

15 4. BIOLOGICAL FLUID TESTING Respondent shall immediately submit
16 to biological fluid testing upon the request of the Physician Assistant Examining Committee or
17 its designee. The cost of biological fluid testing shall be borne by respondent.

18 5. COMMUNITY SERVICES - FREE SERVICES Within sixty (60) days
19 of the effective date of this decision, respondent shall submit to the Physician Assistant
20 Examining Committee or its designee for its prior approval a community service program in
21 which respondent shall provide free medical services on a regular basis to a community or
22 charitable facility or agency for at least one hundred (100) hours over the course of probation.

23 6. ETHICS COURSE Within three (3) months of the effective date of this
24 decision, respondent shall submit to the committee or its designee for its prior approval a course
25 in ethics, which respondent shall successfully complete during the first year of probation.
26 Respondent shall participate in an ethics course at his own expense.

27 7. NOTIFICATION OF EMPLOYER AND SUPERVISING PHYSICIAN
28 Respondent shall notify his current and any subsequent employer and supervising physician(s) of

1 his discipline and provide a copy of the Stipulation, Decision, and Order to each such employer
2 and supervising physician(s) during his period of probation, at the onset of that employment.
3 Respondent shall inform the Physician Assistant Examining Committee, or its agent, in writing
4 and under penalty of perjury, within thirty (30) days, verifying that the employer and supervising
5 physician(s) have been informed of this Stipulation and Order.

6 8. OBEY ALL LAWS Respondent shall obey all federal, state, and local
7 laws, and all rules governing the practice of medicine as a physician assistant in California, and
8 remain in full compliance with any court ordered criminal probation, payments, and other orders.

9 9. QUARTERLY REPORTS Respondent shall submit quarterly
10 declarations under penalty of perjury on forms provided by the committee or its designee, stating
11 whether there has been compliance with all the conditions of probation.

12 10. SURVEILLANCE PROGRAM Respondent shall comply with the
13 committee's probation surveillance program.

14 11. INTERVIEW WITH MEDICAL CONSULTANT Respondent shall
15 appear in person for interviews with the committee's medical or expert physician assistant
16 consultant upon request at various intervals and with reasonable notice.

17 12. TOLLING FOR OUT-OF -STATE PRACTICE OR RESIDENCE The
18 period of probation shall not run during the time respondent is residing or practicing outside the
19 jurisdiction of California. If, during probation, respondent moves out of the jurisdiction of
20 California to reside or practice elsewhere, including federal facilities, respondent is required to
21 immediately notify the committee in writing of the date of departure and the date of return, if
22 any.

23 13. INITIAL PROBATION INTERVIEW Respondent shall appear in person
24 for an initial interview with a designee of the Physician Assistant Examining Committee within
25 ninety (90) days of the final decision. Respondent shall subject himself to an initial interview at
26 a time and place determined by the committee or its designee.

27 14. UNANNOUNCED CLINICAL SITE VISIT At least once per calendar
28 year, or more frequently as determined by the committee or its designee, unannounced clinical

1 site visits shall be made by the committee or its designee to ensure that respondent is complying
2 with all terms and conditions of probation.

3 15. COMPLETION OF PROBATION Upon successful completion of
4 probation as determined by the committee's executive officer, respondent's license will be fully
5 restored.

6 16. VIOLATION OF PROBATION If respondent violates probation in any
7 respect, the committee, after giving respondent notice and the opportunity to be heard, may
8 revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition
9 to revoke probation is filed against respondent during probation, the committee shall have
10 continuing jurisdiction until the matter is final, and the period of probation shall be extended
11 until the matter is final.

12 17. COST RECOVERY The respondent is hereby ordered to reimburse the
13 Physician Assistant Examining Committee the amount of \$5,775.41 for its investigative and
14 prosecution costs. That sum shall be paid in full directly to the Board, in equal monthly
15 payments, within ninety (90) days of the termination of probation (\$101.32/month for 57
16 months). Should respondent seek and gain early termination of probation, the remaining balance
17 of the investigative and prosecution costs shall be due within ninety (90) days from the effective
18 date of the decision granting early termination of probation. Failure to reimburse the committee's
19 costs for its investigation and prosecution shall constitute a violation of the probation order. The
20 filing of bankruptcy by the respondent shall not relieve the respondent of his responsibility to
21 reimburse the committee for its costs.

22 18. VOLUNTARY LICENSE SURRENDER Following the effective date of
23 this probation, if respondent ceases practicing due to retirement, health reasons, or is otherwise
24 unable to satisfy the terms and conditions of probation, respondent may voluntarily tender his
25 license to the committee. The committee reserves the right to evaluate the respondent's request
26 and to exercise its discretion whether to grant the request, or to take any other action deemed
27 appropriate and reasonable under the circumstances. Upon formal acceptance of the tendered
28 license, respondent will no longer be subject to the terms and conditions of probation.

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MOSS LAW OFFICES

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Tracy Green. I understand the stipulation and the effect it will have on my Physician Assistant License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physician Assistant Committee, Medical Board of California.

DATED: 3-18-03
ALEXIS CONSTANTINE NIXON
Respondent

I have read and fully discussed with Respondent Alexis Constantine Nixon the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 3/15/03
TRACY GREEN
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physician Assistant Committee, Medical Board of California of the Department of Consumer Affairs.

DATED: 3/20/03

BILL LOCKYER, Attorney General
of the State of California

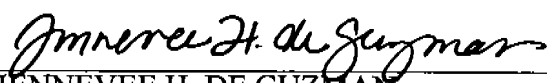

JENNEVEE H. DE GUZMAN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 1E-2001-125966

BILL LOCKYER, Attorney General
of the State of California
PAUL C. AMENT, State Bar No. 60427
Deputy Attorney General
For JENNEVEE H. DE GUZMAN
Deputy Attorney General
California Department of Justice
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Attorneys for Complainant

BEFORE THE
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 1E-2001-125966

ALEXIS CONSTANTINE NIXON
1103 South Hudson Avenue
Los Angeles, CA 90019

ACCUSATION

Physician Assistant License No. PA-14878

Respondent.

Complainant alleges:

PARTIES

1. Richard L. Wallinder, Jr. (Complainant) brings this Accusation solely in his official capacity as the Executive Officer of the Physician Assistant Committee, Department of Consumer Affairs.

2. On March 4, 1999, the Physician Assistant Committee issued Physician Assistant License Number PA-14878 to Alexis Constantine Nixon (Respondent). The Physician Assistant License was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2003, unless renewed.

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1 (1) A supervising physician and surgeon who delegates authority to issue a drug
2 order to a physician assistant may limit this authority by specifying the manner in which
3 the physician assistant may issue delegated prescriptions.

4 (2) Each supervising physician and surgeon who delegates the authority to issue a
5 drug order to a physician assistant shall first prepare or adopt a written, practice specific,
6 formulary and protocols that specify all criteria for the use of a particular drug or device,
7 and any contraindications for the selection. The drugs listed shall constitute the
8 formulary and shall include only drugs that are appropriate for use in the type of practice
9 engaged in by the supervising physician and surgeon. When issuing a drug order, the
10 physician assistant is acting on behalf of and as an agent for a supervising physician and
11 surgeon.

12 (b) "Drug order" for purposes of this section means an order for medication which
13 is dispensed to or for a patient, issued and signed by a physician assistant acting as an
14 individual practitioner within the meaning of Section 1306.02 of Title 21 of the Code of
15 Federal Regulations. Notwithstanding any other provision of law, (1) a drug order issued
16 pursuant to this section shall be treated in the same manner as a prescription or order of
17 the supervising physician, (2) all references to "prescription" in this code and the Health
18 and Safety Code shall include drug orders issued by physician assistants pursuant to
19 authority granted by their supervising physicians, and (3) the signature of a physician
20 assistant on a drug order shall be deemed to be the signature of a prescriber for purposes
21 of this code and the Health and Safety Code.

22 (c) A drug order for any patient cared for by the physician assistant that is issued
23 by the physician assistant shall either be based on the protocols described in subdivision
24 (a) or shall be approved by the supervising physician before it is filled or carried out.

25 (1) A physician assistant shall not administer or provide a drug or issue a drug
26 order for a drug other than for a drug listed in the formulary without advance approval
27 from a supervising physician and surgeon for the particular patient. At the direction and
28 under the supervision of a physician and surgeon, a physician assistant may hand to a

1 patient of the supervising physician and surgeon a properly labeled prescription drug
2 prepackaged by a physician and surgeon, manufacturer as defined in the Pharmacy Law,
3 or a pharmacist.

4 (2) A physician assistant may not administer, provide or issue a drug order for
5 Schedule II through Schedule V controlled substances without advance approval by a
6 supervising physician and surgeon for the particular patient.

7 (3) Any drug order issued by a physician assistant shall be subject to a reasonable
8 quantitative limitation consistent with customary medical practice in the supervising
9 physician and surgeon's practice.

10 (d) A written drug order issued pursuant to subdivision (a), except a written drug
11 order in a patient's medical record in a health facility or medical practice, shall contain the
12 printed name, address, and phone number of the supervising physician and surgeon, the
13 printed or stamped name and license number of the physician assistant, and the signature
14 of the physician assistant. Further, a written drug order for a controlled substance, except
15 a written drug order in a patient's medical record in a health facility or a medical practice,
16 shall include the federal controlled substances registration number of the physician
17 assistant. The requirements of this subdivision may be met through stamping or
18 otherwise imprinting on the supervising physician and surgeon's prescription blank to
19 show the name, license number, and if applicable, the federal controlled substances
20 number of the physician assistant, and shall be signed by the physician assistant. When
21 using a drug order, the physician assistant is acting on behalf of and as the agent of a
22 supervising physician and surgeon.

23 (e) The medical record of any patient cared for by a physician assistant for whom
24 the supervising physician and surgeon's drug order has been issued or carried out shall be
25 reviewed and countersigned and dated by a supervising physician and surgeon within
26 seven days.

27 (f) All physician assistants who are authorized by their supervising physicians to
28 issue drug orders for controlled substances shall register with the United States Drug

1 Enforcement Administration (DEA).

2 8. California Code of Regulations, title 16, section 1399.521, states:

3 "In addition to the grounds set forth in section 3527, subd. (a), of the code the
4 committee may deny, issue subject to terms and conditions, suspend, revoke or place on
5 probation a physician assistant for the following causes:

6 "(a) Any violation of the State Medical Practice Act which would constitute
7 unprofessional conduct for a physician and surgeon.

8 "(b) Using fraud or deception in passing an examination administered or approved
9 by the committee.

10 "(c) Practicing as a physician assistant under a physician or other person who has
11 not received the approval of the board, or the Board of Osteopathic Examiners in the case
12 of a supervising physician licensed by that board, to supervise a physician assistant.

13 "(d) Practicing as a physician assistant under a physician whose approval to
14 supervise a physician assistant has been suspended or revoked.

15 "(e) Performing medical tasks which exceed the scope of practice of a physician
16 assistant as prescribed in these regulations."

17 9. California Code of Regulations, title 16, section 1399.540, states in
18 pertinent part:

19 "A physician assistant may only provide those medical services ...which are
20 delegated in writing by a supervising physician who is responsible for the patients cared
21 for by that physician assistant."
22

23 FIRST CAUSE FOR DISCIPLINE

24 (Gross Negligence)

25 10. Respondent is subject to disciplinary action under sections 2234(b) and
26 3527(a) of the Code in that he was grossly negligent in his care and treatment of two patients.
27 The circumstances are as follows:

28 11. On or about April 20, 2001, Respondent provided medical care and

1 treatment to Patient R.P.¹ On that occasion R.P. complained of knee pain as the result of a sports
2 injury. Respondent evaluated R.P. and advised that R.P. take Tylenol ES. Respondent also
3 recommended that R.P. be given Vicodin if there was no improvement. This medical care and
4 treatment occurred at Respondent's residence, and did not occur under the supervision of a
5 licensed physician and surgeon.

6 12. On or about August 29, 2001, Respondent again provided medical care
7 and treatment to R.P. On this occasion Respondent again evaluated R.P.'s knee pain.
8 Respondent recommended that R.P. take Tylenol ES. Respondent again recommended that if
9 there was no improvement, R.P. should be given Vicodin. This medical care and treatment
10 occurred at Respondent's residence, and did not occur under the supervision of a licensed
11 physician and surgeon.

12 13. On or about September 25, 2001, Respondent issued a drug order for
13 R.P. The drug order was for Vicodin ES and was issued for "back pain." In issuing this drug
14 order Respondent was not acting under the supervision of, pursuant to a delegation of authority
15 from, or pursuant to an advance approval from, a licensed physician and surgeon.

16 14. Vicodin ES is a Schedule III controlled substance within the meaning of
17 section 3502.1(c)(2) of the Code.

18 15. On or about July 21, 2001, Respondent provided medical care and
19 treatment to Patient J.B. On that occasion J.B. complained of upper respiratory infection
20 symptoms. Respondent evaluated J.B., and gave her a drug order for amoxicillin. This care and
21 treatment of J.B. occurred at Respondent's residence, and did not occur under the supervision of
22 a licensed physician and surgeon. Respondent's provision of the drug order for amoxicillin did
23 not occur under the supervision of, or pursuant to a delegation of authority from, a licensed
24 physician and surgeon.

25 16. On or about September 25, 2001, Respondent issued a drug order for J.B.
26

27 1. The names of the patients to which reference is made herein will be disclosed to
28 Respondent upon a timely request for discovery.

1 The drug order was for Xanax, which is a Schedule IV controlled substance within the meaning
2 of section 3502.1(c)(2) of the Code. In issuing this drug order, Respondent was not acting under
3 the supervision of, pursuant to a delegation of authority from, or pursuant to an advance approval
4 from, a licensed physician and surgeon.

5 17. On or about November 25, 2001, Respondent again provided medical
6 and treatment to J.B. at Respondent's residence. On this occasion J.B. again complained of
7 upper respiratory infection symptoms, and Respondent again issued a drug order for amoxicillin
8 for her. Respondent's care and treatment of J.B. on this occasion did not occur under the
9 supervision of a licensed physician and surgeon. Respondent's provision of the drug order for
10 amoxicillin on this occasion did not occur under the supervision of, or pursuant to a delegation of
11 authority from, a licensed physician and surgeon.

12 18. From on or about March 12, 2001, until on or about March 28, 2002,
13 Respondent maintained custody of the medical records of R.P. and J.B. at his (Respondent's)
14 residence.

15 19. Respondent's care and treatment of R.P. and J.B., including his issuance
16 of drug orders for R.P. and J.B. and his maintenance of custody over the medical records of R.P.
17 and J.B., as set forth in paragraphs 11 through 18 above, constituted an extreme departure from
18 the standard of care in that Respondent was acting without the supervision of a licensed
19 physician and surgeon, and was functioning autonomously.

20 SECOND CAUSE FOR DISCIPLINE

21 (Repeated Negligent Acts)

22 20. Respondent is subject to disciplinary action under sections 2234(c) and
23 3527(a) of the Code in that he repeatedly committed negligent acts in his care and treatment of
24 Patients R.P. and J.B. The circumstances are as follows.

25 21. The allegations contained in paragraphs 11 through 18 above are re-
26 alleged at this point.

27 22. The acts of Respondent that are alleged to be negligent are as follows:
28

1 (a) Respondent's provision of medical care and treatment to R.P. on or about
2 April 20, 2001, as more fully set forth in paragraph 11 above.

3 (b) Respondent's provision of medical care and treatment to R.P. on or about
4 August 29, 2001, as more fully set forth in paragraph 12 above.

5 (c) Respondent's issuance of the drug order for Vicodin ES on or about
6 September 25, 2001, as more fully set forth in paragraph 13 above.

7 (d) Respondent's provision of medical care and treatment to J.B. on or about
8 July 21, 2001, including his issuance of the drug order for amoxicillin, as more fully set forth in
9 paragraph 15 above.

10 (e) Respondent's issuance of the drug order for Xanax on or about September
11 25, 2001, as more fully set forth in paragraph 16 above.

12 (f) Respondent's provision of medical care and treatment to J.B. on or about
13 November 25, 2001, including his issuance of the drug order for amoxicillin, as more fully set
14 forth in paragraph 17 above.

15 (g) Respondent's maintenance of custody of the medical records of R.P. and
16 J.B. at his residence, as more fully set forth in paragraph 18 above.

17
18 THIRD CAUSE FOR DISCIPLINE

19 (Unauthorized Issuance of Drug Order)

20 23. Respondent is subject to disciplinary action under sections 3527(a) and
21 3502.1 of the Code in that on or about July 21, 2001, Respondent issued an unauthorized drug
22 order for amoxicillin. The circumstances are as follows.

23 24. The allegations contained in paragraph 15 above are re-alleged at this
24 point.

25
26 FOURTH CAUSE FOR DISCIPLINE

27 (Unauthorized Issuance of Drug Order)

28 25. Respondent is subject to disciplinary action under sections 3527(a) and

1 3502.1 of the Code in that on or about November 25, 2001, Respondent issued an unauthorized
2 drug order for amoxicillin. The circumstances are as follows.

3 26. The allegations contained in paragraph 17 above are re-alleged at this
4 point.

5
6 FIFTH CAUSE FOR DISCIPLINE

7 (Issuance of Drug Order for Controlled Substance Without Advance Approval)

8 27. Respondent is subject to disciplinary action under sections 3527(a) and
9 3502.1 of the Code in that on or about September 25, 2001, he issued a drug order for a Schedule
10 III controlled substance, to wit, Vicodin ES, without the advance approval of the patient's
11 physician and surgeon. The circumstances are as follows.

12 28. The allegations contained in paragraphs 13 and 14 above are re-alleged at
13 this point.

14
15 SIXTH CAUSE FOR DISCIPLINE

16 (Issuance of Drug Order for Controlled Substance Without Advance Approval)

17 29. Respondent is subject to disciplinary action under sections 3527(a) and
18 3502.1 of the Code in that on or about September 25, 2001, he issued a drug order for a Schedule
19 IV controlled substance, to wit, Xanax, without the advance approval of the patient's physician
20 and surgeon. The circumstances are as follows.

21 30. The allegations contained in paragraph 16 above are re-alleged at this
22 point.

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1. Revoking or suspending Physician Assistant License Number PA-14878,
issued to Alexis Constantine Nixon;

3. Taking such other and further action as deemed necessary and proper.

Richard L. Wallinder Jr.
RICHARD L. WALLINDER, JR.
Executive Officer
Physician Assistant Committee
Department of Consumer Affairs
State of California
Complainant